

### **REMARKS/ARGUMENTS**

In an Office Action dated September 13, 2007, claims 1, 2, 32 and 33 were rejected under § 102 based on Pham, U.S. Patent Application No. 2003/007488; claims 3-10, 12-20, 22-30 and 33-40 were rejected under § 103 over Chong, U. S. Patent Application No. 2002/0087751, in view of Pham, claims 11 and 41 were rejected under § 103 over Pham in view of Witkowski, U.S. Patent Application No. 2003/0202520; and claims 21 and 31 were rejected under § 103 over Chong in view of Pham and Witkowski. Applicants traverse the rejections and request reconsideration based on the arguments provided below.

#### **Claim Amendments**

Claim 1 has been amended to include claims 2 and 3. Claims 12, 22 and 32 have been amended in a similar fashion.

#### **Section 103 Rejection**

Claims 3, 14, 24 and 34 were rejected under § 103 over Chong in view of Pham. As the independent claims are allowable, all the dependent claims are also allowable.

Taking claim 22 (previously claim 24) as exemplary, Applicants submit that numerous elements are either corresponded improperly to or are missing from the cited references.

Claim 22 requires both at least one switch and a storage processing device, with the storage processing device including an I/O module with port processors and a switch and a control module. The Office Action has corresponded switches 221 and 222 of Chong, Fig. 5, to the required at least one switch. The Office Action then corresponds a storage controller 26 to be the storage processing device, particularly citing the switch 22 as corresponding to the switch in the I/O module. Applicants submit this correspondence is improper. Chong, at ¶ 0121 which describes Fig. 5, indicates that the arrangement of Figs. 3A-3E and 4A may be replicated to accomplish fault tolerance. This indicates that effectively control module 1 241, switch 1 221, parity calculator 1 321 and cache 1 341 correspond to a first storage controller 26 and control module 2 242, switch 2 222, parity calculator 2 322 and cache 2 342 correspond to a second storage controller 26. Therefore the Office Action has corresponded the switch in a storage controller to be both the claimed switch in the fabric and the claimed switch in the I/O module.

This double correspondence is improper. There is no teaching or suggestion in Chong as to this arrangement, Chong only showing a switch in the storage controller.

As noted above, claim 22 requires port processors in the I/O module. The Office Action has corresponded interconnecting links 251, 252 and 271-273 as being these port processors. Applicants submit that this correspondence is improper on its face. The Office Action is attempting to equate a communications link with a port processor. Clearly these are not equivalent elements. The links merely transmit the communications, they perform no processing. Therefore they cannot be equated to the required port processors.

However, to expedite prosecution of this application, Applicants note that the § 102 rejection of claims 1 and 32 more properly equate the ingress/egress processors in Pham as the port processors of the claims, which is supported by the concluding portion of the § 103 rejection of claim 22. While this may address the improper citation for the port processors, it does not overcome the improper correspondence relating to the switches.

The rejection of claim 23 cited Pham as disclosing the port processors categorizing selected read and write tasks as fast path in Pham ¶ 0038. While this appears to be correct as to this added element, the Office Action then rejects claim 24 with Chong purportedly showing that the selected read and write tasks included virtualized SCSI read and write command and data frames. Applicants first submit that the rejection is improper on its face. Pham is cited as showing the selected read and write tasks, not Chong, but then Chong is cited for the virtualized SCSI read and write command and data frames. Applicants submit that Chong structurally cannot show the virtualized SCSI read and write command and data frames, which are specifically a subset of the selected read and write tasks, which Chong does not show. Applicants submits that only Pham can show elements that are a subset of the selected read and write tasks and no such citation has been provided.

Applicants further submit that reference to the cited paragraphs of Chong do not teach or suggest virtualized SCSI read and write command and data frames as required in the claim. Paragraph 57 only indicates that the interconnects in Chong can be any of the list of standards. Paragraph 59 effectively just states that the switch is configured according to the selected interconnect standard and the remaining components are from standard or readily available components. Nothing in these paragraphs teaches or suggests virtualization or use of virtualized

SCSI read and write command and data frames. The paragraphs simply list various interconnects and say the various parts work with the selected interconnect. Thus reviewing the cited paragraphs does not teach or suggest the required virtualized SCSI read and write command and data frames, particularly when it is noted that they are required to be categorized as fast path network traffic, which concept is not present in Chong.

Applicants therefore respectfully submit that claim 22, amended to include claims 23 and 24, is allowable and claims 1, 12 and 32, amended to include claims 2, 3, 13, 14, 33 and 34, respectively, are allowable over Chong and Pham for similar reasons. Reconsideration is requested.

### **CONCLUSION**

Based on the above remarks Applicant respectfully submits that all of the present claims are allowable. Reconsideration is respectfully requested.

Respectfully submitted,

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**/Keith Lutsch/**  
Keith Lutsch, Reg. No. 31,851

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Wong, Cabello, Lutsch,  
Rutherford & Brucculeri, L.L.P.  
20333 SH 249, Suite 600  
Houston, TX 77070  
832-446-2405